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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.3614 OF 2006**

The State of Maharashtra ... Appellant

V/s.

1. Ananda Satappa Kambale & Ors. ... Respondents

Mr.A.S. Shitole, APP, for Appellant

CORAM: **D.G. DESHPANDE &**
**SMT.NISHITA MHATRE, JJ.**

DATED: **JUNE 12, 2007**

**P.C.**:

. Heard the learned Assistant Public Prosecutor. This is an appeal against acquittal of all the accused respondents from the offences of rape, kidnapping, adbuction, abettment and section 34 of the Indian Penal Code. Even as per the case of the prosecution and the evidence of the complainant, she was having love with accused No.9. Proposal for marriage was given. Then of her own accord, she willingly accompanied accused No.9 on his motor cycle, stayed with him for two days, started residing together and then the story of the kidnapping, abduction and rape came forward. The trial Court has acquitted all the accused. The trial Court has rightly appreciated the evidence after considering the age of the accused and come to the conclusion that the victim was a consenting party, and, therefore, the Court did not find force in the contentions of the

prosecution in support of its allegation. The judgment cannot be said to be perverse and no interference called for.

2. Appeal dismissed.

(D.G. DESHPANDE, J.)

(SMT.NISHITA MHATRE, J.)